

REMARKS

Claims 1, 5, 10, 13, 32, and 59 are pending in the application. The Examiner rejects claims 1, 5, 10, 13, 32, and 59 under 35 U.S.C. § 103(a) as being unpatentable over Walker et al. (U.S. Patent No. 5,794,207), Motoyama (U.S. Patent No. 5,913,202), and Lent et al. (US 6,324,524). Applicants amend claims 1 and 59, and add claims 60-83. Claims 1, 5, 10, 13, 32, and 59-83 remain in the application. Applicants add no new matter and request reconsideration.

Examiner Interview

The Applicants initiated and conducted an interview with Examiner Charles on 11/18/2005. Although no agreement was reached, the Applicants thank Examiner Charles for the opportunity to discuss the rejections.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejects claims 1, 5, 10, 13, 32, and 59 under 35 U.S.C. § 103(a) as being unpatentable over Walker in view of Motoyama, and in further view of Lent. The Applicants respectfully traverse the Examiner's rejections.

In the *Response to Arguments*, the Examiner alleges it is "well known" for a buyer to use an intermediary, such as a buyer-elected purchasing representative or broker, to remain anonymous in transactions with sellers. Final Office Action, page 2, 10/19/2005. The Applicants respectfully disagree that this alleged "well-known" feature teaches any of the claimed elements, and respectfully request the Examiner clarify which of the recited claimed elements and limitations the Examiner is taking Official Notice of without documentary evidence and/or provide documentary support for these assertions. See MPEP 2144.03.

Claim 1

The Examiner has rejected claim 1 under 35 USC 103(a) as being unpatentable over Walker, Motoyama, and Lent. Claim 1 specifies:

using the intermediary computing system to electronically separate the personal client loan application information from the anonymous client loan information in the client loan application file;

using the intermediary computing system to electronically and automatically purge the personal client credit report information from the third party credit bureau report files received from the third party credit bureau service;

using the intermediary computing system to electronically and automatically combine the separated anonymous client loan information with the anonymous client credit report information from the purged third party credit bureau report files to form anonymous loan transaction profiles;

using the intermediary computing system to electronically send the anonymous loan transaction profiles including the combined anonymous client loan information and anonymous client credit report information over the computer network to the loan suppliers without revealing the personal client loan application information and the personal client credit report information to the loan suppliers, enabling the loan suppliers to evaluate and selectively send pre-approved pending risk-based loan offers to at least one qualifying subset of the clients with associated anonymous client loan information and combined anonymous client credit report information qualifying for the pre-approved pending risk-based loan offers.

This is all clearly described throughout the specification and shown in FIGS. 2-21.

Neither Walker, Motoyama, nor Lent suggest using an intermediary computing system to electronically separate personal client loan application information from anonymous client loan information in the client loan application file. Walker, Motoyama, and/or Lent also do not suggest using the intermediary computing system to electronically and automatically purge personal client credit report information from third party credit bureau report files received from a third party credit bureau service.

Walker and Motoyama do not teach or suggest obtaining a third party credit report that includes a credit score from a credit service bureau, much less filtering out the personal information from in the credit report and combining the filtered anonymous credit report information together with the separated out anonymous loan application information to form an anonymous loan transaction profile as specified in claim 1. Conversely, Walker discusses a system for forwarding buyer offers CPOs 100 to multiple sellers where the buyers control the content of the CPOs 100, and thus their own anonymity. See, Walker, col. 16, line 46-58; col 26 line 55 – col 27 line 9; Figures 5-7. In other words, Walker does not teach filtering the CPOs 100 or adding information to the CPOs 100 that was received from a third party and filtered for uniquely identifying information. Thus, Walker does not form the recited anonymous transaction profiles from separated anonymous client loan information and filtered anonymous credit report information.

In addition to never suggesting separating out personal loan application information from anonymous loan application information and never suggesting separating out third party personal credit report information from anonymous credit report information, Walker never *uses an*

intermediary computing system to electronically send the anonymous loan transaction profiles including the combined anonymous client loan information and anonymous client credit report information over the computer network to the loan suppliers without revealing the personal client loan application information and the personal client credit report information to the loan suppliers, enabling the loan suppliers to evaluate and selectively send pre-approved pending risk-based loan offers to at least one qualifying subset of the clients with associated anonymous client loan information and combined anonymous client credit report information qualifying for the pre-approved pending risk-based loan offers.

One aspect of the present invention as specified in claim 1 provides the substantial advantage of automatically combining particular anonymous client loan application information with particular anonymous credit report information necessary for a loan supplier to make pre-approved risk-based loan offers to clients while at the same time maintaining the confidentiality of the client. As described at page 5 line 31- page 6, line 2, these particular intermediary computing system operations allow the supplier to effectively price their products and services to the exact credit risk of the consumer while the consumer maintains their anonymity. The supplier can also group or sort the plurality of anonymous information profiles according to the information contained in the anonymous information profiles, such as age, gender, credit rating, etc.

Neither Walker, Motoyama, nor Lent allow a supplier to effectively price their products and services to the exact credit risk of the consumer while the consumer maintains their anonymity with the supplier. For example, Walker does not enable a seller to make a risk-based loan offer to a buyer anonymously, since no anonymous credit report information is supplied to the seller by an intermediary computing system. Similar problems and limitations exist in Motoyama, as Motoyama sells investment products, not risk-based products that require a credit risk evaluation as the claim specifies. See, Motoyama, Figures 3 and 6.

Similar limitations exist in Lent. For example, Lent teaches away from claim 1 by supplying all loan application information directly to a credit supplier. This is one of the specific problems that the present invention overcomes, by allowing customers to receive offers for risk-based products from multiple suppliers without having to directly apply with each supplier and/or having multiple credit report inquiries. Since Lent's suppliers directly receive personal information from the customers, Lent does not teach sending the recited anonymous loan transaction profiles to a loan supplier ... *without revealing the personal client loan application information and the personal client credit report information to the loan suppliers* as claim 1 specifies. Lent further teaches away from purging uniquely identifying

personal information from credit reports or generating the recited anonymous transaction profile, as Lent's supplier receives both the personal and anonymous information. For the reasons stated above claim 1 is allowable under 35 USC 103(a) as being unpatentable over Walker, Motoyama, and Lent.

Claim 13

The Examiner has rejected claim 13 under 35 USC 103(a) as being unpatentable over Walker, Motoyama, and Lent.

Claim 13 recites *electronically submitting consumer applications to an intermediary, wherein each application contains only demographic and employment information specifically required to qualify for a product and personal information necessary to obtain a consumer credit report*. According to the Examiner, Walker's central controller 200 discloses the recited intermediary. The Examiner appears to allege Walker's conditional purchase orders (CPOs) 100 disclose the recited consumer applications. Each CPO 100, however, includes contractual terms, i.e., a description of a product or service, offer price, conditions of purchase, etc., and a unique buyer identifier, neither of which disclose the recited demographic, employment, and personal information. See, Walker, Fig. 5, col. 16, line 12 – col. 17, line 7, among other places. Since the CPOs 100 do not contain only the recited demographic, employment, and personal information, Walker does not anticipate claim 13.

The Examiner alternatively appears to allege Lent's application discloses the recited consumer applications. Lent's buyer, however, discloses providing its application directly to a single seller, not to an intermediary as the claim requires. Lent therefore suffers from similar disadvantages disclosed in the Background of the Invention of the present application including the inability of the buyer to receive offers from multiple sellers responsive to a single consumer application and a lack of buyer anonymity.

Neither Walker nor Lent further suggest or provide any motivation to combine the inventions described therein. The Examiner alleges that it would have been obvious to one of ordinary skill in the art to modify the invention of Walker based on the teachings of Lent "to effectively and efficiently meet the clients needs for uniquely designed products." Final Office Action, page 5, 10/19/2005. Even if Lent taught the recited consumer applications, this combination would not have provided motivation for submitting only the recited demographic, employment, and personal information to the central controller 200, as Walker's buyer-driven system requires buyers to initiate the contractual process by submitting binding offers. See, Walker, col. 8, lines 28-56 and col. 10, lines 31-39, among other places. Since these offers

require certain contractual terms to bind the buyers, such as a description of the product or service and a product price, Walker provides no motivation to submit only the recited demographic, employment, and personal information to its central controller 200. Thus combining the references, as the Examiner suggests, is to no avail. Applicants therefore respectfully request that this rejection be withdrawn and the pending claims be allowed to issue.

The Applicants have amended claim to clarify that the anonymous client information is supplied to the intermediary by the clients and *at least another source external to the intermediary* other than the suppliers. According to the Examiner, Walker's central controller 200 and sellers 300 discloses the recited intermediary and suppliers, respectively. The Examiner appears to allege Walker's CPOs 100 disclose the recited anonymous client information. The CPOs 100, however, only contain information from Walker's buyer and formal legal language generated by the central controller 200. See, Walker, Figures 1 and 5, and their corresponding sections of the specification. There is no disclosure of Walker including information within the CPOs 100 from another source external to the central controller 200 and/or providing that information to the sellers 300.

Nothing in Motoyama or Lent cures this deficiency, as both Motoyama's financial institutions 30 and Lent's seller receive personal information of their respective clients 10 and customers for use in making offers. Motoyama's intermediary 10 further does not receive client information from a source other than its clients 20, and thus provides only client-supplied information to its financial institutions 30. Lent teaches a direct buyer-to-seller model with no intermediary to supply the recited anonymous client information to its seller. Walker, Motoyama, and Lent therefore do not anticipate claims 1 and 59, or their corresponding dependent claims.

Claim 13 further recites *electronically obtaining the consumer credit reports and merging credit and payment information from said credit report with the consumer's demographic and employment information and electronically comparing the merged demographic, employment, credit, and payment information, not including personal identifiers, with the minimum criteria necessary for said product.*

The Applicants agree with the Examiner that neither Walker nor Motoyama disclose the recited comparing. Final Office Action, page 4-5, 10/19/2005. The Examiner appears to allege Lent's pre-credit bureau test 312, bureau test 314 and post-bureau test 316 disclose the recited comparing. Lent, however, performs the bureau and post-bureau tests 314 and 316 with

only credit report information, not *merged demographic, employment, credit, and payment information* as the claim requires. See, Lent, Figures 6A and 6B. There is no disclosure in Walker, Motoyama, or Lent of an intermediary obtaining consumer credit reports, much less merging demographic and employment information with information from the recited credit reports. Neither Walker nor Motoyama teach or suggest receiving any employment information from their buyers or clients, or obtaining the recited credit reports. Furthermore Lent's pre-credit bureau tests 312 are performed prior to obtaining any credit reports, and therefore cannot be performed with the recited *merged demographic, employment, credit, and payment information*. See, Lent, col. 8, lines 7-11. Walker, Motoyama, and Lent therefore do not anticipate claims 13 or its corresponding dependent claims.

Claim 32

The Examiner has rejected claim 32 under 35 USC 103(a) as being unpatentable over Walker, Motoyama, and Lent.

Claim 32 recites *electronically separating said third party information into third party supplied personal information that uniquely identify clients and data sets that contain third party supplied anonymous information that does not uniquely identify clients*. The Examiner appears to allege Walker's credit pre-authorization response discloses the recited third party information. The credit pre-authorization response indicates whether sufficient buyer funds are available to cover the price associated with a buyer generated CPO 100. Walker, col. 17, lines 32-39. There is, however, no disclosure within Walker of the credit pre-authorization response including both personal and anonymous client information, much less of Walker's central controller 200 separating any information within the credit pre-authorization response. Furthermore, Walker provides no motivation to separate any information according to whether it uniquely identifies the recited clients, as Walker requires its buyers to control their own anonymity by not revealing personally identifying information within CPOs 100. See, Walker, col. 16, line 46-58; col 26 line 55 – col 27 line 9; Figures 5-7. Since, there is insufficient information contained in the Walker's CPOs 100 for sellers to pre-approve the client for risk-based financial services, Walker's buyer anonymity is trivial. Nothing in Motoyama and Lent further teaches or suggests separating any third party information according to whether it uniquely identifies the recited clients, as neither reference maintains the anonymity of their respective clients 20 and buyers. Walker, Motoyama, and Lent therefore do not anticipate claims 32 or its corresponding dependent claims.

Claim 32 recites *electronically generating an anonymous transaction profile by combining the client supplied anonymous information and third party supplied anonymous information and electronically comparing said anonymous transaction profile with criteria from a seller*. The Applicants agree with the Examiner that neither Walker nor Motoyama disclose the recited comparing. Final Office Action, page 4-5, 10/19/2005. As described above with respect to claim 13, Lent also does not disclose comparing a combination of third party supplied information and consumer supplied information, without personal identifiers. Furthermore, there is no disclosure in Walker, Motoyama, or Lent of combining any client supplied anonymous information with third party supplied anonymous information to generate the recited anonymous transaction profile. There is no disclosure in Walker of combining any consumer provided information with information provided by a third party. Walker, Motoyama, and Lent therefore do not anticipate claims 32 or its corresponding dependent claims.

Claim 59

The Examiner has rejected claim 59 under 35 USC 103(a) as being unpatentable over Walker, Motoyama, and Lent.

Amended claim 59 recites *the clients and at least another source external to the intermediary other than the suppliers supply the anonymous client information to the intermediary and electronically providing the suppliers with the anonymous client information from the intermediary without revealing the personal client information*. Amended claim 59 recites similar limitations.

The Applicants have amended claim 59 to clarify that the anonymous client information is supplied to the intermediary by the clients and *at least another source external to the intermediary other than the suppliers*. According to the Examiner, Walker's central controller 200 and sellers 300 disclose the recited intermediary and suppliers, respectively. The Examiner appears to allege Walker's CPOs 100 disclose the recited anonymous client information. The CPOs 100, however, only contain information from Walker's buyer and formal legal language generated by the central controller 200. See, Walker, Figures 1 and 5, and their corresponding sections of the specification. There is no disclosure of Walker including information within the CPOs 100 from another source external to the central controller 200 and/or providing that information to the sellers 300.

Nothing in Motoyama or Lent cures this deficiency, as both Motoyama's financial institutions 30 and Lent's seller receive personal information of their respective clients 10 and

customers for use in making offers. Motoyama's intermediary 10 further does not receive client information from a source other than its clients 20, and thus provides only client-supplied information to its financial institutions 30. Lent teaches a direct buyer-to-seller model with no intermediary to supply the recited anonymous client information to its seller. Walker, Motoyama, and Lent therefore do not anticipate claim 59.

New Claims

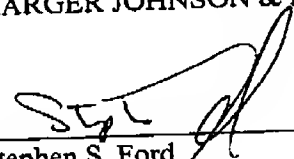
The Applicants have added claims 60-83. Claims 60-62 depend from independent claim 1, claim 63 depends from independent claim 13, and claims 64-65 depend from independent claim 32. The Applicants have also added independent claim 66 and dependent claims 67-78. The Applicants have also added independent claim 79 and dependent claims 80-83. Support for these additional claims is provided in the Specification as originally filed.

CONCLUSION

For the foregoing reasons, reconsideration and allowance of the claims as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.


Stephen S. Ford
Reg. No. 35,139

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
503-222-3613
Customer No. 20575